

United States District Court
WESTERN DISTRICT OF TENNESSEE
Eastern Division

JUDGMENT IN A CIVIL CASE

NICHOLAS J. SIMMONS,
Plaintiff,

v.

CASE NUMBER: 14-1217-JDT-egb

CARROLL COUNTY, ET AL.,
Defendants,

Decision by Court. This action came to consideration before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that in compliance with the order entered in the above-styled matter on 7/21/2015, this case is hereby DISMISSED. The Court also CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3), that any appeal in this matter by Plaintiff would not be taken in good faith. The Plaintiff is instructed that if he wishes to take advantage of the PLRA's installment procedures for paying the appellate filing fee, he must comply with the procedures set out in *McGore* and § 1915(a)(2) by filing an updated *in forma pauperis* affidavit and a current, certified copy of his inmate trust account for the six months immediately preceding the filing of the notice of appeal. For analysis under 28 U.S.C. § 1915(g) of future filings, if any, by Plaintiff, this is the first dismissal of one of his cases as frivolous or for failure to state a claim.

APPROVED:

s/James D. Todd
JAMES D. TODD
U. S. DISTRICT JUDGE

THOMAS M. GOULD
CLERK

BY: S/Shurlyn Chernenko
DEPUTY CLERK